

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** By **CHAIRMAN CAROLYN SQUIRES**, on March 30, 2007 at 3:00 P.M., in Room 335 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Sen. Carolyn Squires, Chairman (D)  
Sen. Joe Balyeat (R)  
Sen. Vicki Cocchiarella (D)  
Sen. Jeff Essmann (R)  
Sen. Steven Gallus (D)  
Sen. Larry Jent (D)  
Sen. Rick Laible (R)  
Sen. Jesse Laslovich (D)  
Sen. Dave Lewis (R)  
Sen. Jim Shockley (R)  
Sen. Joseph (Joe) Tropila (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Dave Bohyer, Legislative Branch  
Lois O'Connor, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 225, 3/26/2007; HB 650,  
3/26/2007; HB 185, 3/26/2007; HJ  
45, 3/26/2007  
Executive Action: SR 9, HJ 45, HJ 41, HB 97, HB 209,  
HB 433, HB 487,, HB 765, HB 544, HB  
690, HB 706, HB 729, HB 771, HB  
650, HB 225, HB 185

00:02:56

**EXECUTIVE ACTION ON SR 9**

00:07:35 **Motion:** SEN. GALLUS moved that SR 9 be approved.

**Discussion:**

00:07:49 Sen. Joe Balyeat

00:08:19 Sen. Joe Tropila

00:08:45 Sen. Balyeat

00:11:27 Sen. Rick Laible

00:15:24 Sen. Jeff Essmann

00:18:19 Sen. Tropila

00:19:26 Sen. Jim Shockley

00:27:40 Sen. Jesse Laslovich

00:29:34 Sen. Carolyn Squires to Dave Bohyer, Director of  
Research, Legislative Services Division (LSD)

00:30:29 Sen. Essmann to Sen. Tropila

00:31:12 Sen. Steve Gallus

00:36:45 Sen. Shockley

00:37:47 Sen. Vicki Cocchiarella

00:42:04 Sen. Dave Lewis

00:43:32 Sen. Gallus

00:44:13 Sen. Tropila

00:44:27 **Vote:** Motion that SR 9 be approved carried 6-5 by roll  
call vote with SEN. BALYEAT, SEN. ESSMANN, SEN. LAIBLE,  
SEN. LEWIS, and SEN. SHOCKLEY voting no. SEN. LASLOVICH  
voted aye by proxy.

**HEARING ON HB 225**

**Opening Statement by Sponsor:**

00:46:27 REP. ROGER KOOPMAN (R), HD 70, opened the hearing on HB 225, Provide for private enforcement of code of conduct and campaign laws.

**EXHIBIT**(sts68a01)

**Proponents' Testimony:** None.

**Opponents' Testimony:** None.

**Informational Testimony:**

00:52:51 Dennis Unsworth, Commissioner of Political Practice

**Questions from Committee Members and Responses:**

00:54:24 Sen. Shockley to Rep. Koopman

00:56:47 Sen. Essmann to Rep. Koopman

00:59:14 Sen. Balyeat to Rep. Koopman

01:00:12 Sen. Cocchiarella to Rep. Koopman

01:03:29 Sen. Balyeat to Rep. Koopman

01:04:30 Sen. Tropila

**Closing by Sponsor:**

01:05:07 Rep. Koopman

**HEARING ON HB 650**

**Opening Statement by Sponsor:**

01:06:24 REP. ROGER KOOPMAN (R), HD 70, opened the hearing on HB 650, Liberty day proclamation.

**EXHIBIT**(sts68a02)

**Proponents' Testimony:**

01:11:04 Andy McKean, Founder, Liberty Day

01:15:04 Stan Johnson, The Honorable Secretary of State (SOS)

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

01:16:28 Sen. Essmann to Rep. Koopman

01:18:17 Sen. Balyeat to Rep. Koopman

**Closing by Sponsor:**

01:19:41 Rep. Koopman

**HEARING ON HB 185**

**Opening Statement by Sponsor:**

01:22:21 **REP. MIKE JOPEK (D), HD 4**, opened the hearing on **HB 185**, Injunction and license revocation procedures for hiring illegal aliens.

**Proponents' Testimony:**

01:28:59 Keith Allen, International Brotherhood of Electrical Workers (IBEW)

**Opponents' Testimony:**

01:30:42 Debbie Smith, Immigration Lawyer

**Informational Testimony:**

01:35:26 Jerry Keck, Montana Department of Labor and Industry

**Questions from Committee Members and Responses:**

01:36:31 Sen. Shockley to Rep. Jopek

01:38:15 Sen. Tropila

01:38:34 Sen. Essmann to Rep. Jopek

**Closing by Sponsor:**

01:39:54 Rep. Jopek

**HEARING ON HJ 45**

**Opening Statement by Sponsor:**

01:48:18 **REP. BILL THOMAS (D), HD 26**, opened the hearing on **HJ 45**, Study to examine options for state document systems to reflect actual names.

**Proponents' Testimony:**

01:51:49 Larry Fasbender, Deputy Director, Montana Department of Justice

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:** None.

**Closing by Sponsor:**

01:54:24 Rep. Thomas

**EXECUTIVE ACTION ON HJ 45**

01:55:29 **Motion/Vote:** **SEN. TROPILA** moved that **HJ 45 BE CONCURRED IN**. Motion carried unanimously by voice vote. **SEN. TROPILA** will carry the bill.

**EXECUTIVE ACTION ON HJ 41**

01:56:46 **Motion:** **SEN. LASLOVICH** moved that **HJ 41 BE CONCURRED IN**.

01:57:23 **Motion:** **SEN. COCCHIARELLA** moved to amend **HJ 41** with amendment **#HB004102.AAG**. Motion carried unanimously by voice vote.

**EXHIBIT**(sts68a03)

01:58:28 **Motion:** SEN. LASLOVICH moved that HJ 41 BE CONCURRED IN AS AMENDED.

01:58:53 **Motion/Vote:** SEN. ESSMANN moved to further amend HJ 41 with a CONCEPTUAL AMENDMENT. Motion carried unanimously by voice vote.

01:59:54 **Motion/Vote:** SEN. LASLOVICH moved that HJ 41 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote. SEN. TROPILA will carry the bill.

**EXECUTIVE ACTION ON HB 97**

02:00:41 **Motion:** SEN. COCCHIARELLA moved that HB 97 BE CONCURRED IN.

**Discussion:**

02:01:08 Sen. Cocchiarella

02:02:32 Sen. Squires

02:03:40 Sen. Essmann

02:05:59 **Motion/Vote:** SEN. LASLOVICH moved that HB 97 BE TABLED. Motion carried 6-5 by roll call vote with SEN. BALYEAT, SEN. ESSMANN, and SEN. SHOCKLEY voting no. SEN. LAIBLE and SEN. LEWIS voted no by proxy. SEN. GALLUS voted aye by proxy.

**EXECUTIVE ACTION ON HB 209**

02:07:54 **Motion:** SEN. SHOCKLEY moved that HB 209 BE CONCURRED IN.

**Discussion:**

02:08:09 Sen. Shockley

02:09:00 Sen. Squires

02:09:12 Sen. Cocchiarella

02:10:07 Sen. Squires

02:10:41 Sen. Balyeat

02:11:36 **Motion/Vote:** SEN. LASLOVICH moved that HB 209 BE TABLED. Motion carried 6-5 by voice vote with SEN. BALYEAT, SEN. ESSMANN and SEN. SHOCKLEY voting no. SEN. LAIBLE and SEN. LEWIS voted no by proxy. SEN. GALLUS voted aye by proxy.

**EXECUTIVE ACTION ON HB 433**

02:12:45 **Motion:** SEN. SHOCKLEY moved that HB 433 BE CONCURRED IN.

**Discussion:**

02:12:54 Sen. Essmann

02:13:20 Mr. Bohyer, LSD

02:13:42 **Motion:** SEN. SHOCKLEY moved to amend HB 433 with amendment #HB043301.ADB.

**EXHIBIT**(sts68a04)

**Discussion:**

02:13:57 Sen. Essmann

02:14:28 **Vote:** Motion that amendment #HB043301.ADB be approved carried 10-1 by voice vote. SEN. GALLUS voted no by proxy.

02:14:44 **Motion:** SEN. SHOCKLEY moved that HB 433 BE CONCURRED IN AS AMENDED.

**Discussion:**

02:15:00 Sen. Gallus

02:16:53 Sen. Tropila

02:17:36 Sen. Shockley

02:18:07 Sen. Balyeat

02:19:39 Sen. Gallus

02:19:52 Vote: Motion that HB 433 BE CONCURRED IN AS AMENDED carried 8-3 by voice vote with SEN. COCCHIARELLA, SEN. JENT, and SEN. GALLUS voting no. SEN. LAIBLE and SEN. LEWIS vote aye by proxy. SEN. SHOCKLEY will carry the bill.

EXECUTIVE ACTION ON HB 487

02:20:54 Motion: SEN. BALLYEAT moved that HB 487 BE CONCURRED IN.

02:21:38 Motion/Vote: SEN. BALLYEAT moved to amend HB 487 with amendment #HB048701.ADB. Motion carried unanimously by voice vote.

EXHIBIT(sts68a05)

02:24:41 Motion: SEN. SHOCKLEY moved that HB 487 BE CONCURRED IN AS AMENDED.

02:24:52 Motion: SEN. LASLOVICH moved to further amend HB 487 with a CONCEPTUAL AMENDMENT.

Discussion:

02:25:07 Sen. Laslovich

02:26:15 Mr. Bohyer, LSD

02:26:27 Motion: SEN. LASLOVICH withdrew the CONCEPTUAL AMENDMENT and moved to further amend HB 487 with amendment #HB048703.adb.

EXHIBIT(sts68a06)

Discussion:

02:27:32 Sen. Cocchiarella to Sen. Balyeat

02:28:35 Vote: Motion that amendment #HB048703.ADB be approved carried 10-1 by voice vote with SEN. BALLYEAT voting no. SEN. LAIBLE and SEN. LEWIS voted aye by proxy.



02:28:45 **Motion/Vote:** SEN. LASLOVICH moved that HB 487 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote. SEN. LAIBLE and SEN. LEWIS vote aye by proxy. SEN. LEWIS will carry the bill.

**EXECUTIVE ACTION ON HB 765**

02:29:48 **Motion:** SEN. GALLUS moved that HB 765 BE CONCURRED IN.

02:30:02 **Motion:** SEN. GALLUS moved to amend HB 765 with amendment #HB076511.ADB.

**EXHIBIT**(sts68a07)

**Discussion:**

02:30:33 Mr. Bohyer, LSD

02:35:31 Sen. Tropila to Sen. Squires

02:35:59 Sen. Essmann to Mr. Bohyer, LSD

02:38:06 Sen. Gallus

02:38:57 Sen. Shockley

02:39:07 Mr. Bohyer, LSD

02:39:26 **Vote:** Motion #HB076511.ADB carried unanimously by voice vote.

02:39:38 **Motion/Vote:** SEN. SHOCKLEY moved that HB 765 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote. SEN. LAIBLE and SEN. LEWIS voted aye by proxy. SEN. COCCHIARELLA will carry the bill.

**EXECUTIVE ACTION ON HB 544**

02:41:10 **Motion:** SEN. LASLOVICH moved that HB 544 BE CONCURRED IN.

**Discussion:**

02:41:31 Sen. Cocchiarella

02:44:14 Sen. Shockley

02:44:32 Sen. Squires

02:45:37 Sen. Shockley

02:45:46 **Substitute Motion/Vote:** SEN. TROPILA made a substitute motion that HB 544 BE TABLED. Substitute motion carried 6-5 by roll call vote with SEN. BALYEAT, SEN. JENT, SEN. LASLOVICH, SEN. LEWIS, and SEN. SQUIRES voting no. SEN. LAIBLE voted aye by proxy.

**EXECUTIVE ACTION ON HB 690**

02:47:42 **Motion:** SEN. SQUIRES moved that HB 690 BE CONCURRED IN.

**Discussion:**

02:48:14 Sen. Shockley

02:48:21 Sen. Essmann

02:48:54 Sen. Jent to Sen. Squires

02:49:25 Sen. Shockley to Sen. Jent

02:49:46 Sen. Cocchiarella

02:50:34 Sen. Jent

02:50:42 Sen. Essmann

02:50:50 Sen. Gallus

02:51:25 Sen. Balyeat

02:51:49 **Vote:** Motion that HB 690 BE CONCURRED IN carried unanimously by voice vote. SEN. LAIBLE voted aye by proxy. SEN. GALLUS will carry the bill.

**EXECUTIVE ACTION ON HB 706**

02:52:31 **Motion:** SEN. COCCHIARELLA moved that HB 706 BE CONCURRED IN.

02:53:15 Motion/Vote: SEN. BALYEAT moved to amend HB 706 with amendment #HB070601.ADB. Motion carried unanimously by voice vote.

EXHIBIT(sts68a08)

02:53:56 Motion/Vote: SEN. COCCHIARELLA moved that HB 706 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote. SEN. LAIBLE voted aye by proxy. SEN. COCCHIARELLA will carry the bill .

EXECUTIVE ACTION ON HB 729

02:55:07 Motion: SEN. LASLOVICH moved that HB 729 BE CONCURRED IN.

Discussion:

02:55:36 Sen. Essmann

02:56:00 Sen. Squires

02:56:46 Sen. Essmann to Sen. Squires

02:57:39 Vote: Motion that HB 729 BE CONCURRED IN carried 10-1 by voice vote with SEN. COCCHIARELLA voting no. SEN. GALLUS, SEN. LAIBLE and SEN. LEWIS voted aye by proxy. SEN. SQUIRES will carry the bill.

EXECUTIVE ACTION ON HB 771

02:58:41 Motion/Vote: SEN. LASLOVICH moved that HB 771 BE CONCURRED IN. Motion carried 10-1 by voice vote with SEN. COCCHIARELLA voting no. SEN. GALLUS, SEN. LAIBLE and SEN. LEWIS voted aye by proxy. SEN. JENT will carry the bill.

EXECUTIVE ACTION ON HB 650

03:00:36 Motion: SEN. SHOCKLEY moved that HB 650 BE CONCURRED IN.

**Discussion:**

03:00:48 Sen. Shockley

03:01:49 Sen. Squires to Sen. Laslovich

03:02:06 Sen. Balyeat

03:02:43 Sen. Squires

03:02:57 Sen. Laslovich

03:03:49 Sen. Balyeat to Sen. Laslovich

03:04:24 Sen. Balyeat

03:04:39 Mark Simonich, Office of the Honorable Secretary of  
State Brad Johnson (SOS)

03:05:34 Sen. Balyeat

03:06:41 Sen. Squires to Mr. Simonich, SOS

03:07:04 **Vote:** Motion that HB 650 BE CONCURRED IN carried 10-1  
by voice vote with SEN. SQUIRES voting no. SEN. LAIBLE  
and SEN. LEWIS voted aye by proxy. SEN. MCGEE will  
carry the bill.

**EXECUTIVE ACTION ON HB 225**

03:08:09 **Motion:** SEN. SHOCKLEY moved that HB 225 BE CONCURRED  
IN.

**Discussion:**

03:08:37 Sen. Squires

03:09:28 Sen. Balyeat

03:11:15 Sen. Jent

03:12:28 Sen. Squires

03:12:39 **Vote:** Motion that HB 225 BE CONCURRED IN carried 8-3  
by voice vote with SEN. COCCHIARELLA, SEN. LASLOVICH,  
and SEN. SQUIRES voting no. SEN. LAIBLE and SEN. LEWIS  
voted aye by proxy. SEN. SHOCKLEY will carry the bill.

**EXECUTIVE ACTION ON HB 185**

03:14:24 **Motion:** SEN. SHOCKLEY moved that HB 185 BE CONCURRED IN.

**Discussion:**

03:14:43 Sen. Shockley

03:15:03 Sen. Squires to Sen. Shockley

03:15:36 Sen. Balyeat

03:17:05 **Motion:** SEN. SHOCKLEY moved to amend HB 185 with a CONCEPTUAL AMENDMENT.

03:17:50 **Substitute Motion/Vote:** SEN. JENT made a substitute motion that HB 185 BE TABLED. Substitute motion carried 6-5 by roll call vote with SEN. COCCHIARELLA, SEN. SHOCKLEY, and SEN. SQUIRES voting no. SEN. LAIBLE and SEN. LEWIS voted no by proxy.

03:20:19 **Motion/Vote:** SEN. ESSMANN moved to RECONSIDER THE MOTION on HB 185 for the purpose of another roll call vote. Motion carried unanimously by voice vote.

03:20:42 **Motion/Vote:** SEN. LASLOVICH moved that HB 185 BE TABLED. Motion carried 6-5 by roll call vote with SEN. COCCHIARELLA, SEN. LEWIS, SEN. SHOCKLEY, and SEN. SQUIRES voting no. SEN. LAIBLE voted no by proxy.

**ADJOURNMENT**

Adjournment: 6:35 P.M.

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SEN. CAROLYN SQUIRES, Chairman

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LOIS O'CONNOR, Secretary

CS/lo

Additional Exhibits:

**EXHIBIT ([sts68aad.pdf](#))**